

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

SAMUEL LEE,

Plaintiff,

v.

KMART CORPORATION,

Defendant.

Civil Action No. 2014-0079

Attorneys:

Lee J. Rohn, Esq.,

Rhea Lawrence, Esq.,

St. Croix, U.S.V.I.

For Plaintiff

Carl R. Williams, Esq.,

Richard F. Farrelly, Esq.,

St. Thomas, U.S.V.I.

For Defendant

ORDER

UPON CONSIDERATION of Defendant's "Motion to Exclude Untimely Disclosed Expert Witnesses" (Dkt. No. 55); Defendant's "Motion to Exclude Untimely Disclosed Fact Witnesses" (Dkt. No. 56); and Defendant's "Motion to Limit the Testimony of Dr. Jason Williams and Exclude his Untimely Updated Report" (Dkt. No. 61), the entire record herein, and for the reasons stated in the accompanying Memorandum Opinion, filed contemporaneously herewith, it is hereby

ORDERED that Defendant's "Motion to Exclude Untimely Disclosed Expert Witnesses" is **GRANTED**; and it is further

ORDERED that the testimony and reports of Richard Moore, Ph.D., and Carla Seyler, MS, CRC, shall be **EXCLUDED** from the trial of this matter; and it is further

ORDERED that Defendant's "Motion to Exclude Untimely Disclosed Fact Witnesses" is **GRANTED**; and it is further

ORDERED that the testimony of Rachel Thomas, Sarah Fenton, Ivan James, Jaheem Lee, Jamari Lee, Marilyn Flynn, Clyde Lee, Dean Haywood, Jennifer Walcott, Levingston Smitten, Felix Dennis, Terrence Turbe, Bernadine Hendricks, John Peter, and Wendy Thomas shall be **EXCLUDED** from the trial of this matter; and it is further

ORDERED that Defendant's "Motion to Limit the Testimony of Dr. Jason Williams and Exclude his Untimely Updated Report" is **DENIED**.

SO ORDERED.

Date: August 15, 2016

_____/s/_____
WILMA A. LEWIS
Chief Judge